



DOCKET NO.: P0728.70001US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

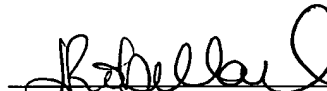
Applicant: Michael Paschetto et al.  
Serial No.: 10/026918  
Confirmation No.: 7074  
Filed: December 18, 2001  
For: AUTOMATED LABORATORY SYSTEM AND METHOD

Examiner: L. Alexander  
Art Unit: 1743

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29 day of September, 2005.

  
\_\_\_\_\_  
Lisa Robillard

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**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

10/03/2005 HDESTA1 00000051 232825 10026918

03 FC:1463 70.00 DA 130.00 OP

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

Serial No.: 10/026918  
Conf. No.: 7074


- 3 -

Art Unit: 1743

An early and favorable action is hereby requested.

Respectfully submitted,

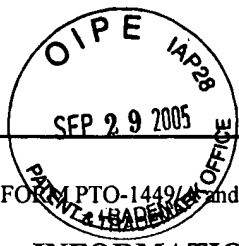
By:



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Telephone: (617) 646-8000

Docket No.: P0728.70001US00  
Date: September 29, 2005  
**xNDDx**



FORM PTO-1449/A and B (modified PTO/SB/08)

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

|  |   |    |   |                                     |                                   |
|--|---|----|---|-------------------------------------|-----------------------------------|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   |    |   | APPLICATION NO.: 10/026918          | ATTY. DOCKET NO.: P0728.70001US00 |
|  |   |    |   | FILING DATE: December 18, 2001      | CONFIRMATION NO.: 7074            |
|  |   |    |   | APPLICANT: Michael Paschetto et al. |                                   |
|  |   |    |   | GROUP ART UNIT: 1743                | EXAMINER: L. Alexander            |
| Sheet  | 1 | of | 1 |                                     |                                   |

## U.S. PATENT DOCUMENTS

| Examiner's<br>Initials # | Cite<br>No. | U.S. Patent Document |              | Name of Patentee or Applicant of Cited<br>Document | Date of Publication or Issue<br>of Cited Document<br>MM-DD-YYYY |
|--------------------------|-------------|----------------------|--------------|--|---|
|                          |             | Number               | Kind<br>Code |  |   |
|                          |             | 4,790,183            |              | Pfost et al.                                       | 12/13/1988  |
|                          |             | 4,846,003            |              | Marquiss   | 07/11/1989  |
|                          |             | 2002/0176801         | A1           | Giebeler et al.                                    | 11/28/2002  |
|                          |             |                      |              |  |   |
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## FOREIGN PATENT DOCUMENTS

| Examiner's<br>Initials # | Cite<br>No. | Foreign Patent Document |        |              | Name of Patentee or Applicant of Cited<br>Document | Date of<br>Publication of<br>Cited Document<br>MM-DD-YYYY | Translation<br>(Y/N) |
|--------------------------|-------------|-------------------------|--------|--------------|--|---|----------------------|
|                          |             | Office/<br>Country      | Number | Kind<br>Code |  |   |                      |
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## OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's<br>Initials # | Cite<br>No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher,<br>city and/or country where published. | Translation<br>(Y/N) |
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| EXAMINER: | DATE CONSIDERED: |
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# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]